

FILED

SEP 03 2013


CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

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CR. 12-40040-02

Plaintiff,

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vs.

ORDER

JARED ADRIAN,

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Defendant.

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Pending is the Motion to Admit Pro Hac Vice filed by Robert E. Barnes. Mr. Barnes requests he be permitted to appear in this case as defense counsel for Defendant Jared Adrian. Further, Mr. Barnes requests the Court permit him to appear without associating with local counsel. Local Rule of Criminal Practice 44.1(E) provides:

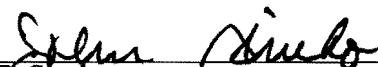
An attorney who is not a member of the bar of this court, but who is a member in good standing of the bar of another United States District Court, may, upon motion and approval by the court, participate in the conduct of a particular case, but **such motion may be allowed only if the applicant associates with a member attorney in good standing of the bar of this court. . . .**

(Emphasis added). The requirement to associate with local counsel is not discretionary. Accordingly, it is

ORDERED that the motion (Doc. 111) is denied without prejudice to being refiled by local counsel.

Dated this 3 day of September, 2013.

BY THE COURT:


John E. Simko
United States Magistrate Judge